

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

**USDC-SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC#:  
DATE FILED: 09/14/2022**

EMANUEL DELACRUZ, *on behalf of  
himself and all other persons similarly  
situated,*

Plaintiff,

v.

FIVE BELOW, INC.,

Defendant.

19-CV-10294 (RA)

ORDER

RONNIE ABRAMS, United States District Judge:

By Order dated August 3, 2022, the Court directed Plaintiff to file an amended complaint by September 5, 2022, to the extent he had a good-faith basis to do so. To date, no amended complaint has been filed. If it is not filed by September 21, 2022, the Court will dismiss this action for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

SO ORDERED.

Dated: September 14, 2022  
New York, New York

A handwritten signature in blue ink, appearing to be 'RA' followed by a long horizontal stroke.

Ronnie Abrams  
United States District Judge